REMARKS
Summary Of The Office Action

Claims 1-10 are pending in the application.

Claims 1, 4, and 10 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kim et al (USP 6,438,119.

Applicant thanks the Examiner for allowing claims 6-9 and for indicating that claims 2, 3 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Analysis of the Rejection of Claims 1, 4 and 10 under 35 U.S.C. § 102(e)

In responding to the previous Office Action, Applicant argued that claims 1, 4 and 10 are not anticipated by Kim et al at least because Kim et al fails to teach that a frame length is detected from the input data which has not been decoded by the preliminary decoding part. In particular, Applicant argued that contrary to the Examiner's assertion, the frame detectors (741, 743) do not detect the frame length. In response, the Examiner argues that:

> "The frame detectors (741, 743) are configured to detect a 5 ms frame and a 20 ms frame respectively. The detectors produces a true signal when a valid frame is detected. In other words, when a 5 ms frame is received, the 5 ms detector (741) generates a TRUE signal and when a 20 ms frame is received, the 20 ms detector (743) generates a TRUE signal. Thus, the frame decision block (750) decides that a 5 ms frame has been detected when a TRUE signal is asserted by the detector (741) and a 20 ms frame has been detected when a TRUE signal is asserted by the detector (743). This process clearly shows the detection of the

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frame length from an input data that has not been decoded by the preliminary decoding part.

Applicant respectfully disagrees with the Examiner's analysis. In particular, the frame length is determined in the frame decision block 750 of Fig. 9 (see col. 19, lines 20-24). The manner in which the frame decision block 750 determines the frame length is discussed in Kim et al at col. 19, line 25 to col. 21, line 46. The procedure is summarized in Table 6 of Kim et al. As can be seen from the description of the procedure and from Table 6, the Examiner's assertion that "the frame decision block (750) decides that a 5 ms frame has been detected when a TRUE signal is asserted by the detector (741) and a 20 ms frame has been detected when a TRUE signal is asserted by the detector (743)" is incorrect. For example, in the second line of Table 6, the first frame detector outputs a true signal, but the frame determiner outputs a DISABLE signal. This is because the CRC 5 detector outputs a false signal. As another example, in the sixth line of Table 6, the first frame detector outputs a TRUE signal but the frame determiner outputs signal sel2 and decides that a 20 ms frame is received.

Applicant respectfully submits that claims 1, 4 and 10 are not anticipated by Kim et al at least because Kim et al fails to teach that a frame length is detected from the input data which has not been decoded by the preliminary decoding part.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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Date: June 12, 2007